

**WISCONSIN DEPARTMENT
OF TRANSPORTATION**

**EVALUATION OF THE
EFFECTIVENESS OF THE
OCCUPATIONAL LICENSING PROGRAM**

**COMPREHENSIVE ANALYSIS
AND INTERPRETATION
OF STUDY FINDINGS**

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INTRODUCTION

Introduction

Study Background

At the request of the Wisconsin Department of Transportation, The Dieringer Research Group, Inc. is conducting a study of the effectiveness of its occupational licensing program. This research project is being conducted in three phases.

Phase 1: Situation Assessment

- *Literature Review*
- *Survey of US states and Canadian provinces and territories about their policies and practices concerning occupational licenses*

Phase 2: Current Perceptions and Profiles

- *Interview experts and others in Wisconsin about their perceptions of Wisconsin's occupational licensing practices*
- *Survey the Wisconsin public to assess their understanding of the occupational license program*

Phase 3: Occupational Licensee Assessment

- *Survey occupational license holders, using focus groups and a mail survey*
- *Survey those denied an occupational license or were not eligible, using focus groups and a mail survey*
- *Survey those eligible for an occupational license but did not apply for one, using focus groups*
- *Develop a profile of Wisconsin occupational license applicants*
- *Compare driving records of Wisconsin occupational license holders with those of the general public*

This report presents an overall summary of the findings of Phases 1 – 3.

Introduction

Research Objectives

The objectives of this research project were to:

1. Conduct a literature search for hardship/occupational licensing programs and their impacts on highway safety and effectiveness as a driver improvement mechanism.
2. Survey U.S. states and Canadian provinces and territories to determine if they have hardship or occupational licensing programs, what types of program they have, and whether they are considering any changes to them.
3. Compare how the current program in Wisconsin compares with the programs of the surrounding Midwestern states in terms of:
 - Type of operating privileges offered
 - Fees
 - Financial responsibility requirements (insurance)
 - Restrictions
 - Eligibility requirements
4. Compare the impact (highway safety, social, economic, or other) of those states/jurisdictions that have no hardship or occupational license programs and those that have more liberal and conservative programs than Wisconsin's current program.
5. Compare how the current program in Wisconsin is administered to original legislative intent, including recent revisions to applicable state statutes and administrative rules.
6. Develop a profile of the applicants for occupational licenses in Wisconsin, and compare rates of involvement in accidents and convictions for moving traffic violations before, during and after holding an occupational license. The profile should include:
 - Age
 - Sex
 - Geographic location
 - Withdrawal type
 - Use
 - Routes of travel
7. Compare the rates of involvement in accidents and convictions for moving traffic violations for those operating under an occupational license before, during, and after they held an occupational license to the general driving public.
8. Identify how well the current occupational license is understood by the general public, elected officials, law enforcement and other potentially affected interests; and whether or not it meets their expectations.

Introduction

9. Conduct surveys and/or focus groups of individuals who are or have been operating under an occupational license to determine:
 - If the license restrictions are understood
 - If they actually limited their operation to the restrictions
 - If they would have continued to drive if they were unable to obtain an occupational license
10. Conduct surveys and/or focus groups of individuals who have been denied or are not eligible for an occupational license to determine:
 - If they would obtain an occupational license if they were eligible
 - If they have continued to operate a motor vehicle while suspended or revoked

Methodology

Several research methods were used to ascertain the information for this study. They include:

Phase I – Situation Assessment

- A literature review of books, articles, and other sources on occupational licenses, and similar types of licenses, anywhere in the United States and the world.
- A telephone survey of driver's license departments in 40 US states and eight Canadian provinces and territories.

Phase II – Current Perceptions and Profiles

- In-depth interviews with 16 experts on occupational licenses in Wisconsin. The respondents included police officers, judges, attorneys, and other people knowledgeable about the occupational licensing program in Wisconsin.
- A telephone survey of 200 adult residents in Wisconsin concerning their awareness and knowledge level of occupational licenses.

Phase III – Occupational Licensee Assessment

- Four focus groups conducted in Madison and Milwaukee with drivers who had their driver's licenses suspended or revoked. Two discussions were held with adults who were driving with occupational licenses, and two were held with adults who had applied for occupational licenses and had been denied or who had not applied.
- A mail survey of 364 adults in Wisconsin who had been issued occupational licenses and 43 adults who had applied for occupational license but had been denied.
- An analysis of WisDOT's database to compare occupational license holders to other drivers in Wisconsin.

INTERPRETATION



Interpretation

This study leads to five important “lessons:”

1. The occupational license seems to work. The database analysis shows that for occupational license holders, the number of citations and accidents drops precipitously from the year before obtaining the license to the time having the license. The number usually increases slightly in the year after using the occupational license—but not nearly to the level of the year before. Controlling for age and gender, the number of citations and accidents of former occupational license holders is roughly the same as the number for all Wisconsin drivers.
2. The occupational license program is popular; people like it. Although many people in the study disliked specific details of the program, almost all of them liked the program and wanted it to continue. The “experts,” those people whose jobs deal with the program, liked it. The occupational license holders liked it. Even those people who had lost their licenses and did not have occupational licenses liked the program; their objection was that they were not included in it.
3. Although all types of people liked the occupational license program, nobody knew how well the program was accomplishing its goal of keeping offenders employed while protecting the public from unsafe drivers. This report shows that the Wisconsin program does help protect the public by reducing the amount of driving that offenders do and leading the offenders to have fewer citations and accidents. To our knowledge, this is the first study to show the effectiveness of an occupational license program.
4. People generally have a reasonably good understanding of the occupational license program. Police officers and other “experts” said they understood the program well. Judges said they had only limited understanding because they seldom encountered cases involving occupational license, but they said they knew enough to rule fairly. The general public’s understanding is minimal, but offenders who need to know about the occupational licenses learn quickly.

The one area of confusion was the “homemaker duties.” Police officers disliked homemaker duties because the meaning of the term is vague. Drivers with occupational licenses had different interpretations of the meaning of the term or simply did not know what it meant.

5. Wisconsin is more lenient than most other states. Wisconsin tends to offer occupational licenses for more types of offenses, has shorter waiting periods, imposes lower fees, has fewer requirements, and allows more activities. However, Wisconsin also tends to have more restrictions on use of the license. The only area in which the Wisconsin program was criticized very often for leniency was the uncertain interpretation of homemaker duties.

On the other hand, drivers with occupational licenses tended to criticize the inflexibility of the program. They said that the hours are too rigid and that changing hours is too cumbersome and expensive.

STUDY SUMMARY

Study Summary

The most important findings of all aspects of this study are summarized below:

1. Most states and provinces have Occupational Licenses, although they are usually called something else—mainly “restricted,” “hardship,” and “limited” licenses
2. There is a large variety of ways the occupational licenses are administered. The variety is in terms of number given, cost to offenders, rules, limitations, and requirements. All states and provinces suspend and/or revoke licenses for drunk driving and for refusing to take sobriety tests. More than 90% suspend/revoke licenses for excess driving “points” and for non-driving offenses. Almost all the states and provinces that have occupational licenses give them for drunk driving, and about half do for sobriety test refusals.
3. Wisconsin tends to be more lenient than other Midwestern states concerning occupational licenses. For example, Wisconsin tends to have fewer requirements to obtain occupational licenses and allows more activities than other states do. In addition, Wisconsin’s fee (\$40) is lower than that of most states.

On the other hand, Wisconsin tends to impose more restrictions than most states. In addition, the initial fee is a small fraction of the total cost of an occupational license when compared to the cost of obtaining the license, including automobile insurance, so the fact that Wisconsin’s fee is low probably has minimal impact.

4. Almost all (95%) states and provinces with occupational licenses allow them to be used for work. In three-fourths (78%) of the states, the licenses can be used for school. They can be used for alcohol or drug treatment in 63% of the states.
5. Officials who administer and otherwise deal with occupational licenses, such as police officers and judges, really do not know what effects occupational licenses have on the lives of ordinary people. In the literature review, the survey of state licensing departments in the US and Canada, and interviews with experts in Wisconsin, people did not know what effects the licenses had on traffic accidents, traffic injuries and deaths, incidence of driving with suspended or revoked licenses, or insurance claims.

However, the experts interviewed in Wisconsin did say that the occupational licensing program probably reduced unemployment and therefore reduced the incidence of rent and mortgage defaults.

6. The lack of knowledge is a direct effect of the lack of study about occupational licenses. Other than a study conducted in North Carolina about 30 years ago, we were unable to find a systematic research about occupational licenses. A few state administrators said their states gathered data on occupational licenses, but all of these efforts that we could find consisted only of recording data on the numbers of occupational licenses and the reasons they were given.
7. The public in Wisconsin are moderately well informed about occupational licenses. The Wisconsin experts said that most people do not know much about occupational licenses until they have their own licenses suspended or revoked, but that they learn quickly after they need to know. That assessment of the public’s knowledge seems accurate, judging from the results of the telephone survey of the general public. The overwhelming majority of the public are aware of occupational licenses, but their knowledge of the details of the occupational licensing law tends to be mediocre at best.

Study Summary

8. The occupational licensing program is very popular among the Wisconsin experts interviewed. They agreed that the licenses reduce unemployment and help many Wisconsin families avoid serious hardships. They generally approve of how the program is being administered. The only “fault” that most respondents mentioned was the haphazard monitoring of violations—violators are caught only if they happen to be stopped for another reason. But this was not a particularly serious complaint because nobody thought that closer monitoring would be worth the massive expenditure of resources that it would take.

However, the three police officers interviewed said that occupational license rules are too lax—especially the “homemaker” provisions—and encourage traffic violations by reducing the effect of the sanctions of license suspension and revocation. The officers’ opinions are supported by the available evidence; 39% of mail survey respondents said they use their homemaker hours for “social reasons such as movies or restaurants” and 27% said they used them for “vacations or out-of-town trips.”

9. The occupational license holders in the focus groups tended to like the occupational licensing program and generally had good things to say about it. Their main complaints centered on what they perceived to be the law’s inflexibility. For example, they said it should be easier, and cheaper, to change hours on an occupational license, and that there should be allowances for unforeseeable emergencies.
10. There seems to be widespread, though not unanimous, belief among officials that offenders with occupational licenses drive outside their hours and that offenders without any licenses drive anyway. In fact, most of the focus group participants did say that they drove illegally, although more of the unlicensed drivers than occupational license holders said they did so. In the mail survey, about one-third (34%) of occupational license holders said they drove outside their hours at least once per week. Almost half (43%) of the respondents who had been denied occupational licenses said they drove illegally at least once per week. About 29% of each group said they “never” drove illegally, and about 20% said they drove illegally only in emergencies.
11. The occupational licenses seem to be successful in Wisconsin. In the database analysis, occupational license holders tended to receive far fewer citations and be involved in far fewer accidents in the year after using occupational licenses than in the year before receiving the licenses. The differences were dramatic. The average driver received 1.39 citations in the year before the occupational license and an average of .19 in the year after using the license. The average driver was involved in .26 accidents during the year before the occupational licenses and .07 the year after.
12. Compared to people without any driver’s licenses, occupational license holders were much less likely to say they had lost their jobs. They were also less likely to say their lives were more difficult than they had been with regular driver’s licenses.

MAIN FINDINGS PHASE I

SITUATION ASSESSMENT

Main Findings – Phase I

The most important findings of each aspect of Phase I are included below. For the most part, the following section consists of edited Executive Summaries of the two individual reports, the Literature Review and the Survey of States.

Literature Review

Little research has been published on hardship licenses. Some information that appears in the literature on the subject is summarized below:

- The number of states in the United States that issue hardship licenses has increased in the last 40 years, from 18 in 1966 to at least 41 today.
- One reason for the increase in the number of states issuing hardship licenses is the increasing severity of drunken driving laws. As a reaction to more convictions, and administrative license suspensions and revocations (and more severe penalties), states have offered hardship licenses.
- The impact of hardship licenses is difficult to measure—and has seldom been measured. One source suggested that hardship licenses could have the effect of reducing the impact of more license suspensions. But that source also said that it is difficult to make such a conclusion because of great limitations of the data:

“It is difficult to state whether or not this [reduction of the effectiveness of increased license suspension] has happened, because the effects on accident involvement of driving on limited licenses are not known and the number of offenders receiving limited licenses has been difficult to determine.”

Another source summarized the state of knowledge concerning hardship licenses:

“I don’t have the answers....In fact, I suspect that most states could not tell you the situation in their own jurisdictions.”

- An important study on hardship licenses was conducted in North Carolina, and the study results were first published in 1971. This study found that offenders who received hardship licenses had worse subsequent driving records than offenders who had not received hardship licenses.
- However, the study also found that the driving records of the hardship license holders were no worse than those of the average drivers. Since the offenders who received the hardship licenses tended to be different demographically (more young and male) than the average driver, and since this demographic group tends to have more traffic violations than other drivers, the fact that the drivers with hardship licenses were no worse than average drivers indicates they were probably better than their demographic segment in the population.
- One study found that hardship licenses used alone were not effective but when used with other sanctions, such as treatment or jail, they tended to be effective.
- Another source said that safety researchers and advocates tend to oppose hardship licenses because they “water down” the effectiveness of full suspensions. However, we have not found any safety researcher or advocate who opposes the use of hardship license.

Main Findings – Phase I

Survey of States

The Dieringer Research Group, Inc. conducted a survey of 48 states¹ during April and May 2002. Respondents consisted of people who were familiar with their states' laws, policies, and practices concerning hardship licenses. They answered questions on their states' experiences with hardship licenses and their own assessments of the effects of hardship licenses. The findings are summarized below.

- Most states (83%) use hardship licenses. Half of the states that use hardship licenses have changed their laws, policies, or practices concerning the licenses in the past few years. About half of the changes involved making the licenses harder to get by tightening eligibility requirements, lengthening waiting periods, or starting or increasing use of an Ignition Interlock Device.
- The number of hardship licenses issued each year varies widely by state, from 25 per year to 48,000. The average is about 8,600 per year. Wisconsin is second-highest in issuing hardship licenses, with nearly 32,000 issued last year. California is the highest with 48,000.
- The licenses are given different names in different states. The most common names are “restricted license” and “hardship license.”
- All the states that issue hardship licenses suspend or revoke driver's licenses for drunk driving and refusing to take a sobriety test. Almost all of them (88%) issue hardship licenses for drunk driving, but only 55% issue them for refusing to take a sobriety test.
- Almost all states suspend or revoke driver's licenses for non-driving offenses such as truancy and non-payment of child support, excessive “points” or traffic convictions, and non-payment of fines, but only half (55%) do so for non-driving drug convictions. The proportion of states suspending or revoking licenses for these offenses that also offer hardship licenses for them varies widely, from 12% to 78%.
- About half the hardship licenses issued are for drunk driving. The next-most-common offenses for which hardship licenses are issued are excessive “points” or traffic convictions.
- Of the states that issue hardship licenses for drunk driving, 79% take the offender's driver's license before conviction. Offenders are eligible for hardship licenses in 77% of those states. Offenders must wait at least 30 days in most of those states.

¹ For ease of reading, the term “state” is used here as a generic term to include all 48 jurisdictions included in the survey. However, the sample included seven Canadian provinces and the Northwest Territory as well as 40 states.

Main Findings – Phase I

- Offenders who are convicted have to wait varying lengths of time for their hardship licenses, depending on the offense and the state. The following table shows the percentage of states that require each waiting period for four types of offenses:

Waiting Periods (Percent of States that Offer Each Waiting Period for Hardship Licenses for Each Type of Offense)				
Offenses	N* =	Waiting Period		
		None	1 – 30 Days	60+ Days
First-time drunk driving (no injuries)	35	37%	31%	23%
Refusal to take sobriety test	22	23%	18%	45%
Excessive “points” or traffic convictions	28	57%	29%	11%
Non-payment of fines	4	100%	--	--
* “N” is the number of states that offer hardship licenses for each type of offense. For example, there are 35 states that offer hardship licenses for first-time drunk driving and of those 37% do not require a waiting period.				

- Over two-thirds (70%) of the states that issue hardship licenses charge fees for them. Fees range from \$5 to \$290; the average fee is \$67.52.
- In 30% of the states, the application process for hardship licenses requires a formal hearing.
- Almost two-thirds (63%) of the states require proof of financial responsibility (SR-22). Nearly as many (60%) require a letter from an employer or school. About half require a letter from a drug or alcohol treatment provider (45%) or evidence that other means of transportation are not available (40%).
- Most respondents did not know what percent of offenders who are eligible for hardship licenses apply for them; of those who did answer the question, the average was about 63%. When asked what percent of offenders who apply for hardship licenses receive them, over one-third did not know; of those who did answer the question, the average was about 60%.
- When asked why they thought eligible offenders did not apply for hardship licenses, the most common answer (given by 60% of the respondents) was that the offenders drove anyway without any licenses. Some respondents also said that the offenders find alternative transportation (34%) and that insurance is too expensive (31%).
- Hardship licenses can be used for several different purposes. The ones most often mentioned by respondents were:

Work.....	95%
School.....	78%
Alcohol or drug treatment	63%
Medical or dental appointments	40%
Caring for family members	28%

Main Findings – Phase I

- Hardship licenses come with restrictions. The most common restrictions are:

Destination	85%
Duration in months or years	78%
Days of the week	65%
Time of day	63%
Number of hours per week	50%
Routes of travel	48%

- About half the states allow hardship license holders to drive commercial vehicles, either with or without passengers.
- Survey respondents were asked to estimate how the use of hardship licenses had affected six areas of their states. The areas included traffic effects and non-traffic effects, such as unemployment. In all six areas, large proportions of respondents said they did not know; in some areas, most of the respondents said they did not know. In all the areas except “number of offenders operating without a valid license,” the overwhelming majority of respondents said they did not know or that hardship licenses had had any effects. The results for the six areas are shown in the following table:

Effects of Hardship Licenses on Six Areas	
Area	Effects
Number of offenders operating without valid licenses	<ul style="list-style-type: none"> • 30% did not know • 33% said “no effect” • 23% said “reduced the number a little”
Insurance claims and rates	<ul style="list-style-type: none"> • 68% did not know • 18% said “no effect”
Number of traffic accidents	<ul style="list-style-type: none"> • 53% did not know • 40% said “no effect”
Number of traffic injuries and deaths	<ul style="list-style-type: none"> • 55% did not know • 38% said “no effect”
Unemployment	<ul style="list-style-type: none"> • 45% did not know • 33% said “no effect”
Mortgage defaults	<ul style="list-style-type: none"> • 83% did not know • 15% said “no effect”

- During recruiting or interviewing, a few respondents said their states had research or consistent tracking systems that allowed them to measure the impacts of hardship licenses on traffic crash and conviction rates, insurance claims and rates, or unemployment. However, upon further investigation, all the tracking systems were simply statistics on accident rates or numbers of hardship licenses issued, often requiring programming in order to access them. They could not easily or reasonably provide us with actual statistics that had ever been used to measure the impact of hardship licenses on any other variables.

Main Findings – Phase I

Comparison of Wisconsin to other Midwestern States

- Wisconsin tends to be more lenient than other Midwestern states in terms of occupational licenses, although not in all ways. It does not require a waiting period for OWI. Its fee for an occupational license is \$40, well below the Midwest average of \$90. It offers the licenses for the approximately same reasons as other Midwestern states but has only one requirement for an offender to receive a license (proof of financial responsibility). Wisconsin also allows the largest number of activities, including household duties, which is very difficult to enforce. However, the occupational license in Wisconsin has six types of restrictions, which is more than most of the remaining states.
- Iowa seems to be the strictest Midwestern state in terms of hardship licenses. Iowa has all seven requirements, allows only three activities, and, along with Wisconsin, has the most restrictions.

Effect of Hardship Licensing Programs on Traffic Fatality Rates and Unemployment

- There is a weak relationship between hardship licensing programs and traffic fatality. States² with a strict hardship licensing program tend to have lower fatality rates than other states. States with a lenient or moderately strict program tend to have the highest traffic fatality rates. States without a hardship licensing program tend to have low traffic fatality rates, but not as low as states with a strict program.
- There is no perceptible relationship between the presence of, or the strictness of, a hardship licensing program and state unemployment rates. That is, states with a strict hardship licensing program, a lenient program, or no program do not have higher or lower unemployment rates.

² Because of data availability, only U.S. states were included in this supplemental analysis.

**MAIN FINDINGS
PHASE II**

CURRENT PERCEPTIONS AND PROFILES

Main Findings – Phase II

The most important findings of each aspect of Phase II are included below. For the most part, the following section consists of edited Executive Summaries of the two individual reports, the Professional Understanding of the Wisconsin Occupational License Program and the Public Understanding of the Occupational License Program.

Professional Understanding of the Wisconsin Occupational License Program

Sixteen experts and people who deal with occupational licenses in Wisconsin were interviewed by telephone during May and June 2002, including police officers, judges, attorneys, legislators, insurance companies, and private employers. Their comments can be classified into several categories:

- **Overall Perspectives of the Study Respondents**

Overall, the study respondents were very positive about the occupational licensing program in Wisconsin. All of the respondents said the main goal of the program is to allow people who have lost their licenses to continue to work. They said that the program is accomplishing that goal.

Some respondents were impassioned about the value of occupational licenses and the need to keep people working. When asked how Wisconsin would be different if there were no occupational license, one judge said:

“Without the occupational license, I think that we would become more punitive as a society. We would lose some of our humanity and compassion. We would have a greater separation of classes. There would be more poverty. It would make us more impoverished as a state.”

However, not everybody was completely supportive of the program. Some respondents said the rules are too broad to really restrict the offenders very much.

- **Administration of the Occupational Licensing Program**

Generally, respondents were satisfied with administration of the occupational licensing program. They said the hours are explicit and the rules are easy to understand.

There were only a few criticisms of how the program is administered in Wisconsin. All the respondents said that “monitoring” of the program is haphazard; violators are not caught unless they happen to be stopped for something else. However, no respondent favored increasing the monitoring because of the large expenditure of money and police officers’ time that it would entail.

- **Changes in the Occupational Licensing Laws**

A common criticism of the occupational licensing law is that the activities that are permitted are too undefined. Some respondents suggested that the laws be tightened up. Occupational license holders can drive virtually anywhere and claim that it is for “homemaker” duties. Another criticism is that the times allowed are too extensive. Some respondents felt that 12 hours a day and 60 hours per week are excessive and dilute the restrictions of the occupational license so much that the license no longer has enough of a punitive effect.

Main Findings – Phase II

Some other suggested changes were:

- Some said that when offenders break the occupational license rules, such as driving outside the allowed hours, the infractions should be recorded as violating occupational license rules, not simply as driving after suspension or revocation. They said that by making a separate violation and keeping statistics on it, policy makers could see the extent of occupational law violations.³
- One judge suggested that absolute sobriety be required for occupational license drivers.
- A respondent from a company with a great deal of trucking said that a company should be allowed to veto a commercial driver's license for one of its drivers so that it does not have to put its own vehicles, and the lives of innocent people, at risk.

• Is the Occupational Licensing Program accomplishing its Goal?

All the study respondents said the intent of the occupational licensing law is to give people who have lost their regular driver's licenses opportunities to continue working and providing for their families. If there is another goal in establishing occupational licenses, the study respondents did not show any awareness of it.

Virtually all the respondents said the occupational licensing program is accomplishing its goal.

• How Well is the Occupational Licensing Law Understood?

Respondents tended to agree that most people in the general public are very uninformed about occupational licenses. They also agreed that offenders learn about the law very quickly.

Respondents felt that police officers are adequately informed, and they assumed that judges are also informed. However, the judges interviewed said they are not particularly well informed on occupational licenses because they seldom have to deal with them. Interesting, those in the legal system said that prosecutors tend to not be very well informed because they do not need to be. Defense attorneys, on the other hand, tend to be better informed so they can help their clients.

• Why Eligible Offenders Do Not Apply for Occupational Licenses

Respondents gave three main reasons for offenders not applying for occupational licenses. The most important reason is the extra cost in automobile insurance. Wisconsin requires proof of financial responsibility (SR-22), which requires insurance. Because insurance for offenders who qualify for occupational licenses can be very expensive, some offenders do not obtain it, and therefore do not receive occupational licenses.

The second reason given for offenders not applying was the hassle and inconvenience of going through the application procedures. Respondents, however, did not generally object to the inconvenience of applying for occupational licenses because they felt that some inconvenience is appropriate for traffic offenders.

The third reason was that offenders are often unaware that they can obtain occupational licenses or do not know how to get them. However, some respondents said that offenders usually learn very quickly about the licenses.

³ In fact, the state can distinguish between ordinary violations of operating after suspension or revocation and breaking occupational license rules.

Main Findings – Phase II

- **Do Offenders Follow the Occupational License Rules?**

Respondents were asked if they thought offenders followed the occupational license rules concerning times, locations, and routes. The respondents were divided on this question. Some said that occupational license holders drive whenever and wherever they want. However, others said that offenders do follow the rules; if they went to the trouble to obtain occupational licenses, they would follow the rules.

- **Does the Occupational Licensing Program Encourage Repeat Offenses?**

Respondents expressed conflicting opinions on whether occupational licenses diluted the impact of license suspension and thereby encouraged repeat offenses. Some said they do dilute the severity of license suspension but do not encourage repeat offenses. However, some said that by making it possible to drive while having a suspended license, the occupational license encourages offenders to be less concerned about breaking the law.

- **What Effects Does the Occupational Licensing Program Have?**

Respondents were asked to evaluate the effects of the occupational licensing program on several aspects of life in Wisconsin. The respondents simply did not know, and did not guess, the effects on traffic accidents, injuries, and deaths. They did say that it probably reduces the unemployment rate. They also reasoned that by increasing employment, the law probably reduces mortgage and rent defaults.

- **Occupational License Components from Other States**

Only one person was aware of any aspects of other states' programs. She was a private employer who said that awareness of the program among employees and employers was higher in Iowa, where she had previously worked, than in Wisconsin.

Main Findings – Phase II

Public Understanding of the Wisconsin Occupational License Program

Two hundred telephone interviews were conducted with adult residents in Wisconsin concerning their awareness and knowledge levels of occupational licenses.

Many of the questions in the survey concerned respondents' levels of information about the Wisconsin occupational license. Answers to these informational questions are particularly difficult to interpret. There are several reasons for this difficulty:

1. The answers to many questions are “it depends.” For example, an offender may lose his or her driver’s license for reckless driving, but the law does not require license suspension or revocation.
2. The law changes for multiple offenses. For example, the law for a first-time OWI is different than for a third-time OWI.
3. The law in general can be quite complicated—much too complicated to ask about in a telephone survey.
4. Respondents may guess correctly. Although all respondents were encouraged to frankly say they did not know the answer to a question, there is no way to prevent them from guessing if they want to do so.

The answers to the informational questions should be seen as Wisconsin residents' perceptions of the law, without great emphasis on whether they are correct or incorrect.

• Respondent Profile

The study sampled a variety of types of people, with about half male and half female, of varying ages, educational levels, and county types.

Of the 200 respondents, 19% said that they had their Wisconsin driver’s licenses suspended or revoked. Those most likely to say they had lost their licenses were:

- ✓ Men
- ✓ Younger respondents
- ✓ Less educated respondents

• Awareness of the Wisconsin Occupational License Program

Ninety percent of the respondents said that they had heard of occupational licenses. There was about the same level of awareness for all demographic groups, except that respondents who had had their driver’s licenses suspended or revoked had a much higher level of awareness (97%).

Although undue emphasis should not be placed on “right” and “wrong” answers, the survey respondents tended to show low levels of awareness when asked specific questions about occupational licenses and the occupational licensing program.

Main Findings – Phase II

Concerning offenses for which Wisconsin law requires a driver's license to be suspended, a list of 13 offenses were listed. A majority of respondents said that a driver could lose his or her license for some offenses, such as OWI and excessive traffic demerit points, but for many other offenses, there were many "don't know" answers.

Respondents exhibited low levels of awareness concerning which offenses for which an offender would be eligible for occupational licenses. Fewer than half of the respondents who were aware of occupational licenses (180 of 200 survey respondents) knew that any specific offense included eligibility for occupational licenses.

- **Occupational License Program Requirements, Allowed Activities and Restrictions**

Respondents showed moderately high levels of knowledge of requirements for a Wisconsin occupational license. Two-thirds knew that an offender must be a resident of Wisconsin, and 57% knew that the offender would have to show proof of insurance. However, 68% said that the offender would have to show proof of employment, which is not true.

Almost all respondents (97%) said that an occupational license could be used to travel to work, but fewer than half said it could be used for any of the other five reasons listed.

Respondents also showed moderately high levels of knowledge about restrictions placed on the Wisconsin occupational license. For example, 70% said the license included specific destinations and specific times of the day.

Only 15% of the respondents correctly said that a person with an occupational driver's license could be used to drive a commercial vehicle. Most respondents (79%) said that a person with an occupational license could be ticketed for violating the license restrictions.

- **Opinions on the Occupational Licensing Program**

When asked if the Wisconsin occupational license was granted too easily (or not) and was too restrictive (or not), about three-fourths said it was "just right" or they did not know.

Only about one-fourth of the respondents named any changes they would like to see in the Wisconsin occupational license program. Almost all of the suggestions involved making the program stricter or more restrictive.

**MAIN FINDINGS
PHASE III**

OCCUPATIONAL LICENSEE ASSESSMENT

Main Findings – Phase III

The most important findings of each aspect of Phase III are included below. For the most part, the following section consists of edited Executive Summaries of the three individual reports, the Focus Groups, the Mail Surveys, and the Database Analysis.

Focus Groups

The Dieringer Research Group, Inc. conducted four focus groups held in the Madison and Milwaukee areas on July 23 and July 24, 2002. One group in each market consisted of participants who were operating with occupational licenses, and the other group consisted of participants who had been denied or had not applied for occupational licenses. Participants in all the focus group discussions answered questions about their attitudes and opinions of license suspension and revocation and occupational licenses as well as questions about their driving practices.

There were wide ranges of opinions expressed in both types of focus groups, but the focus group members with occupational licenses tended to have positive attitudes toward the occupational licensing program. Although they made several suggestions for improvement, they approved of the way the program is run. Those who had been denied occupational licenses or who had not applied tended to be much more critical.

Focus group members from small towns and suburbs, especially those without occupational licenses, tended to be more critical of the occupational licensing system and the police than those living in the cities of Madison and Milwaukee. The difference was due mainly to the fact that police in small towns and suburbs can keep closer watch over traffic offenders and tend to be more vigilant in watching individuals whom they know have occupational licenses or do not have licenses. Some focus group members from small towns said they had been “marked” by their local police for harassment.

Virtually all the focus group members said they drive illegally. Those without occupational licenses tend to do it much more than those with the licenses. There were two main reasons why those without licenses drive illegally more than those with occupational licenses did:

- Occupational license holders can drive legally enough to survive. Any extra driving tends to be for emergencies, which are few in number, or for recreational purposes, which can be managed. Those without licenses, however, cannot get to work without driving illegally.
- Occupational license holders hope to get their regular licenses back in the foreseeable future, while most of those without licenses do not, so they are not as motivated to avoid being stopped by the police.

Occupational license holders said the process of obtaining the license is tolerable. They also said the classes some of them must take are informational and worthwhile.

The occupational license holders said they wanted the licenses to be more flexible. They suggested:

- Make it cheaper than \$40 to change hours.
- Make allowances for emergencies, such as picking up sick children from school in the middle of the day.
- Allow people who drive for a living to not count the time driving on the job as part of the 60 hours per week.

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There was disagreement, but some occupational license holders tended to view the occupational license as more of a “limited driving time” license rather than as an instrument to help them get to work and do necessary household duties. As a result, they wanted more freedom in their driving, such as “recreational hours.”

Although it was not unanimous, focus group members who had been denied or had not applied for occupational licenses tended to blame other people or bad luck for their predicaments.

Almost all of the focus group members without occupational licenses said they drive illegally. They gave a long list of advice for people who want to drive without a license, including:

- Drive carefully.
- Make sure all the lights work on the vehicle. Don’t get stopped for a headlight not working.
- Park behind the bar instead of in front. If necessary, park at a grocery store and walk to the bar.
- Do not drive sports cars or other “cop magnets.”
- Put a “Support Your Local Police” decal in the rear window. Do not put a “Led Zeppelin” decal in the window.
- Do not drive at night, especially after the bars have closed and police are looking for drunk drivers.

Those who had not applied for occupational licenses gave several reasons for not applying, including not being eligible and not wanting to alert the insurance company.

Many of those with occupational licenses said they would not have applied for the license if their periods of suspension had been shorter, such as three months or less. They said they would risk arrest for short periods of time.

Those without occupational licenses said that public transportation, even in the cities of Madison and Milwaukee, was not adequate.

Although most focus group members said they had lost their licenses for OWI, some said they had committed lesser infractions and had their licenses suspended; after that, their main violation was driving after suspension or revocation. In fact, driving after suspension or revocation seemed to be the main offense that kept them from getting their regular driver’s licenses reinstated.

Those without occupational licenses made several suggestions for improving the laws surrounding license suspensions and revocations, including:

- Do not suspend or revoke licenses for offenses in which nobody is hurt.
- Do not suspend or revoke licenses for “little” things such as failure to pay child support.
- Make occupational licenses easier to obtain

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Mail Surveys

A total of 407 Wisconsin adults were surveyed by mail during August and September 2002. A total of 364 respondents held occupational licenses, while the other 43 had been denied occupational licenses.

- **Respondent Demographics**

Based on the results of this survey, respondents denied an occupational license (“denied”) seem to differ demographically and in terms of their opinions and behaviors compared to those respondents with occupational licenses.

Approximately two-thirds of the respondents, both the “denied” and those with occupational licenses, were men. However, the denied respondents tended to be younger and have lower levels of education than those with occupational licenses.

- **Respondent Behaviors**

Those who had been denied occupational licenses reported that they had their regular licenses suspended or revoked more often than the respondents that had occupational licenses. The “denied” respondents also spent more time in the previous year without any licenses than the occupational license holders spent with occupational licenses.

Respondents who were denied occupational licenses said the main ways they got around were getting rides from friends and family members. About half said they drove anyway. Generally, family members and friends have been helpful in giving rides to both the occupational license holders and the “denied.”

Both types of respondents said they seldom used public transportation.

About 18% of the occupational license holders said they drove outside their hours “every day” or “almost every day.” Approximately 31% of the “denied” respondents said they drove without licenses “every day” or “almost every day.” Among the occupational license holders, younger respondents tended to drive outside their hours more than older respondents do.

Among the occupational license holders who have homemaker duties included with their licenses, the most common activity was grocery shopping. However, 36% said they used homemaker duties for “social reasons such as movies or restaurants” and 25% said they took “vacations or out-of-town trips” as part of their homemaker duties.

- **Respondent Opinions**

Occupational license holders were more likely to report that they felt “embarrassed” or “guilty,” while those who had been denied the licenses were more likely to report they felt “unlucky” or “treated unfairly.” Among the occupational license holders, older respondents were more likely to indicate they felt “embarrassed” or “guilty,” while younger respondents were more likely to report that they felt “unlucky.”

The largest number of respondents first learned about occupational licenses from lawyers. Many also first learned from judges, the DMV, a pamphlet or form, police officers, WisDOT, friends, and co-workers.

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- **Respondent Experiences with the Occupational License Program**

Both types of respondents reported that their lives are more difficult when compared to when they had regular driver's licenses, but the "denied" respondents reported more difficult lives. The "denied" also reported more negative effects on their jobs.

Occupational license holders indicated that the process of obtaining a license was neither particularly easy nor difficult. The process of obtaining a SR-22 was relatively easy.

The most common complaints about using occupational licenses, or not having any license, were the restrictions, lack of freedom, and need to depend on others. The most common suggestions among the occupational license holders were for more flexible hours and to not charge for changing hours. The most common suggestions among the "denied" respondents were to give everyone occupational licenses and to treat each case individually (instead of relying on objective, impersonal criteria).

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Database Analysis

WisDOT databases of occupational license holders and other drivers were analyzed to develop profiles of occupational license holders and ways they use the licenses—and to compare occupational license holders to other Wisconsin drivers.

• Demographics of Occupational License Holders

Compared to all Wisconsin drivers, occupational license holders tend to be:

- ✓ Young: Occupational license holders were much more likely to be young, especially aged 21-29. Occupational license holders were unlikely to be aged 50 – 64 and were very unlikely to be 65 or more years old.
- ✓ Male: Occupational license holders were much more likely to be male than female.
- ✓ Rural: Occupational license holders were slightly more likely than all Wisconsin drivers to live in rural counties, but the difference was not great.

• Uses of Occupational Licenses

The most common uses of occupational licenses were:

- Work ----- 94%
- Homemaker duties ----- 84%
- Church ----- 49%

Education was an important use for young drivers: 59% of those under aged 16-20 and 16% of those aged 21-29 said they used their occupational licenses for school, compared to less than 7% of older drivers.

Women were slightly more likely than men to use their occupational licenses for homemaker duties (90% v. 82%).

• Reason Licenses were Withdrawn

Alcohol-related causes account for three-fourths (75%) of license withdrawals among people with occupational licenses. “Driver record” (accumulation of demerit points) accounts for only 13% of all license withdrawals, but accounts for 53% of the withdrawals of licenses from drivers aged 16-20.

• Routes of Travel

Occupational license holders can choose to identify Wisconsin counties, the entire state of Wisconsin, other states, or even the entire country as locations where they can drive. About half (53%) chose counties only and 40% chose states only. Younger drivers tended to choose counties, while older drivers tended to choose states. Generally, drivers chose only 1-3 counties or states. Men tended to choose more counties and states than women did.

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- **Number of Citations and Accidents**

When examining the number of citations and accidents before, during, and after the occupational license, there is a very consistent pattern. The number of citations and accidents declined precipitously from the year before the occupational license to the time of using the occupational license (which would typically be less than one year). In the year after using the occupational license, the number of citations and accidents usually increased, but never to the level of the year before the license. In sum, drivers tended to have many fewer citations and accidents during the year following the occupational license than during the year before it.

- **Insurance Claims**

American Family Insurance generously analyzed its database to determine the number of citations and insurance claims by Wisconsin drivers with occupational licenses. That analysis found that in the two and one half years from January 2000 through June 2002, drivers with occupational licenses received an average of 3.00 moving violations and filed an average of .04 accident claims for \$500 or more. These numbers compare to an average of .84 moving violations and .09 accident claims of \$500 or more. (However, we believe that the figure of .04 accident claims per occupational license holder does not accurately reflect the number of accidents causing \$500 in damage or more because of under-reporting by the occupational license holders.)